



500.37156X00  
E4528-01MN

### REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 1, 3, 5-7, and 9-14 remain active in this application. New claims 15-17 have also been added. Claims 2, 4 and 8 have been canceled. The limitations previously found in last three lines of claim 4 have been added to claim 1.

In the outstanding Office Action, the Examiner objected to the abstract as having more than a single paragraph. By way of the present Amendment, a new abstract has been added which is a single paragraph and within the word limit.

The Examiner objected to the specification as failing to provide antecedent basis for claimed subject matter. Applicants have corrected or removed these problem areas as required. In claims 1 and 6, the term "examination rack" has been changed to —specimen rack—. The Examiner's reference to the reaction disk in regard to claims 1, 4 and 6 is not understood. The Examiner is requested to be more specific as to its location.

In regard to claim 2, this claim has now been canceled.

The Examiner objected to claim 6 due to the limitation regarding the multiples of the longitudinal length of the specimen rack. By way of the present Amendment, this limitation has been specifically added to the specification on page 17.

The Examiner objected to the specification concerning the term "patterns" in claim 8. This claim has now been canceled. The reference number has now been changed on page 27 from 4 to 3 as required. Likewise, Figure 9c has been changed to Figure 9d on page 27.

The Examiner objected to the drawings due to the recitation on page 10, lines 8 and 9. By way of the present Amendment, the specimen introducing part now properly uses the reference numeral 1.

The drawings were objected to because of the reference to the specimen storage part by two different numbers. This has now been corrected on page 10.

The drawings were objected to as failing to show reference number 3 in Figure 6. This has now been added. On page 22, the proper reference number 40h has been utilized. Figure 9a has now been amended to include reference number 20a. Figure 5 has now been amended as suggested by the Examiner to correctly identify the different parts.

The Examiner rejected the claims under 35 USC 112, second paragraph as being indefinite. In regard to lines 6 and 7 of claim 1 and corresponding parts of claims 4 and 6, this has been discussed above. In regard to claim 1, line 6, applicants suggest that the use of the term pipetting is proper even without a specific recitation of the pipette itself. That is, this is used as a verb and describes the action of the analyzing parts in regard to the specimens. However, if the Examiner prefers a term such as removing by suction or other term, applicants are willing to provide this. In regard to line 14, the reference is now to the specimen storage part.

In regard to the rejection of claims 2 and 4, these claims have now been canceled. In regard to claim 7, the claim has now been amended to make this more clear. It is believed that the present language is clear and that it is not necessary to refer to the slits as "a plurality of slits" since it is clear that the term is in the plural form.

In regard to claim 8, this claim has now been canceled.

In regard to claim 9, the term "housing" has been removed and it has also been removed from claims 11 and 13.

In regard to claims 11 and 14, the term "other part" has now been removed.

In regard to claim 12, antecedent basis has been provided for the term "operator" and this term has also been used near the end of the claim as well, rather than "user". Concerning the Examiner's statement that the recitation regarding the confirmation adjustment and replacement is confusing and indefinite, applicants disagree. This refers to the location where the operator carries out the various parts of the analysis and is designed to point out the use of the top surface and why the height of this surface is important, since the operator uses the surface during analysis.

For the above reasons, applicants submit that the claims are now definite.

The Examiner rejected claims 1, 12 and 13 as being anticipated by Okamoto, et al. The Examiner rejected claims 1 and 3 as being anticipated by Wakatake. The Examiner rejected claim 1 as being anticipated by Yamada, et al. The Examiner rejected claims 2 and 4-7 as being obvious over Wakatake. The Examiner rejected claims 8-11 as being obvious over Wakatake in view of a Japanese Patent. The Examiner rejected claim 14 as being obvious over Okamoto, et al. In this regard, it is assumed that the final 0 in the Japanese number is an error. The rejections of claims 2, 4 and 8 are rendered moot by their cancellation. Applicants submit that the remaining rejections have been overcome by the amendments presented in the arguments below.

Amended claim 1 recites analyzing parts which have different functions and which pipette specimens on a specimen rack and allow the specimens to react with reagents for the analysis of the specimens. The analyzing parts are arranged on the

floor in a row with the specimen introducing part for introducing a specimen rack and the specimen storage part. These parts are arranged along the conveying means so that each of them is separately removable from the row and so that the analyzing parts, the specimen introducing part, and the specimen storage part have similar heights measured from the floor and depths which are also equal.

The importance of this configuration is that the operator could work in a comfortable condition since the various parts have a height below the view of the operator and all have an equal depth. This means that the work station has better lighting and does not feel confining. In addition, it is easier for the operator to work without having to frequently change his posture. Since the analyzing parts have similar heights and depths, function identification parts are added so that the operator can rapidly confirm which of the analyzing parts is intended to be used.

All of the references which the Examiner relies upon show analyzing parts coupled with the specimen rack conveying part in order to facilitate coupling and the arrangement of additional units. However, these fail to disclose any improvement in the working environment and working efficiency which can be achieved by the present invention. All these references disclose the coupling of analyzing devices which have similar functions but fail to disclose the coupling of analyzing parts having different functions with the same dimensions, which is essential in the present invention.

Thus, the Okamoto et al device includes small sized devices 18A, 18B which are arranged on a table 11. Although it appears that these devices have uniform dimensions, in fact it is the height of the conveyors which are set to be uniform in order to smoothly move the specimen racks. That is, the conveyors 22 are mounted on the

table for access by the analyzing devices 18. There is no teaching of having the analyzing devices at certain heights or depths and certainly no teaching of their relation to the height of the operator. *→ written claim*

The Wakatake reference also shows a specimen rack conveying system with analyzers but again does not teach the concept of specific height and depth of the analyzers for a convenient work space nor the concept of limiting the height of the apparatus.

The Yamada reference relates to rack conveying elements which can be used between analysis elements. However, this reference also does not in any way discuss units having uniform dimensions limiting the heights of the equipment.

Claim 1 requires at least two analyzing parts having different functions with the function identification parts. Each part is removable by itself and the various parts have equal heights and depths. These features are not seen in the references.

Claims 3, 5, 10, 11, 15 and 16 depend from claim 1 and as such are also considered to be allowable. In addition each of these claims recites additional features which makes these claims additionally allowable. Claim 3 requires a reexamining buffer. Claim 5 recites specific heights and depths, claims 9-11 discuss the features of the identification parts. Claim 15 recites the two conveying paths. Claim 16 recites the take in buffer and specimen rack discharge part of each analyzing part. Applicants submit that the references do not teach these particular features and that these features therefore make these claims further allowable.

Independent claim 6 recites similar limitations to original claim 1 and further requires that the various parts have widthwise directions which are multiples of the

specimen rack dimension. This feature is not described or suggested in any of the references. In fact, the Examiner only states generally that it would be obvious to have standard dimensions. Applicants first point out that the parts do not merely have a standard width, but rather are also multiples of the rack dimension. Applicants submit that more is involved than merely being able to easily replace one unit with the other. Instead, this relates to the interrelationship with the rack. Applicants submit that the use of this feature is not obvious and that none of the references suggest it. Accordingly, applicants submit that claim 6 is also allowable.

Claim 7 depends from claim 6 and as such is also considered to be allowable. In addition, this claim recites the use of the slits at intervals equal to the specimen rack. This is likewise not seen or suggested by the references. Accordingly, applicants submit that claim 7 is also allowable.

Claim 12 recites an analyzer with at least two analyzing parts with function identification parts. The top surfaces are also specified to have heights of 750 to 850 mm. Applicants submit that the Okamoto et al reference does not teach these features, nor do any of the other references. The reference does not show the function identification parts nor does it describe the particular height of this top surface. Accordingly, applicants submit that claim 12 is likewise allowable.

Claims 13, 14 and 17 depend from claim 12 and as such are also considered to be allowable. These claims further recite that the stages are projected from the top sides, that they have different colors and that the introducing part and storage part have the same height measured from the floor. Applicants submit that these features are also not seen in any of the references and accordingly these claims are believed to be

additionally allowable.

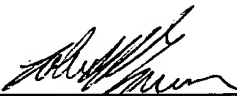
In view of the above, applicants submit that the application is now in condition for allowance. Accordingly, an early and favorable action is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made"**.

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (500.37156X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By:   
Robert F. Gnuse  
Registration No. 27,295

RFG:dmw

Phone: (703) 312-6600  
Fax: (703) 312-6666  
E-mail rgnuse@antonelli.com



500.37156X00  
E4528-01MN

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE SPECIFICATION:**

Please rewrite the paragraph starting on page 9, line 5 as follows:

Referring first to [Figs. 2 and 3] Fig. 1, although a specimen rack conveying part 20, a specimen introducing [pat] part 1, an electrolyte analyzing part 2, an analyzing part 3 and an analyzing part 4, a reexamining buffer 5 and a specimen storage part 6 are shown, being separated from each other for the sake of brevity of explanation, no gaps are inherently present at positions where their housings are arranged, adjacent to one another with no gaps therebetween.

Please rewrite the paragraph starting on page 9, line 14 as follows:

Referring to Figs. 1 and 2, the biochemical analyzer according to the present invention, comprises a specimen introducing part 1 for introducing a specimen rack in which specimens are accommodated, an electrolyte analyzing part 2, an analyzing part 3 provided with a reagent cold reservoir 30 projected from the top surface of a housing and having a transparent cover 30a thereof, an analyzing part 4, a reexamining buffer 5 for temporarily accommodating the specimen rack for reanalysis, and a specimen storage part 6 for accommodating therein the specimen rack for which examination is completed, they all being arranged in a one horizontal row.

Please rewrite the paragraph starting on page 10, line 6 as follows:

It is noted the specimen rack conveying part 20 is composed of an on-going path 21 on which the specimen rack is advanced from the specimen introducing part [6] 1 to the specimen storage part 6, and an in-coming path 22 on which the rack is advanced in a direction reverse to that of the on-going path. A removable transparent cover 23 is provided at the top surface of the specimen rack conveying part 20.

Please rewrite the paragraph starting on page 10, line 14 as follows:

The above-mentioned specimen introducing part 1, the electrolyte analyzing part 2, the analyzing part 3, the analyzing part 4, the reexamining buffer 5, [the specimen storage part 5] and the specimen storage part 6 are composed of base parts 7 having one and the same shape and size, and accordingly, it is apparent that they are bundled in one unit by the base parts 7.

Please rewrite the paragraph starting on page 17, line 10 as follows:

The longitudinal dimension of the specimen rack including a drive part is 150 mm, the widthwise dimensions w1, w2, w5, w6 of the specimen introducing part 1, the electrolyte analyzing part 2, the reexamining buffer 5 and the specimen storage part 6



are set to 300 mm which is a multiple of the longitudinal dimension of the specimen rack. In general, the specimen introducing part 1, the analyzing parts 3, 4 and the specimen storage part 6 have widthwise dimensions which are multiples of the longitudinal length of the specimen rack, including 1.

Please rewrite the paragraph starting on page 22, line 23 as follows:

Further, an emergency specimen introducing part 13 is present in the left upper end part of the specimen introducing part 1. If a specimen rack [140] 40h is set in the emergency specimen introducing part 13 while a specimen rack is present in the specimen introducing part 1, the specimen rack 40h is carried onto the specimen rack conveying part 20 from the emergency specimen introducing part 1, preferential to the specimen rack present in the specimen introducing part 1.

Please rewrite the paragraph starting at page 27, line 6 as follows:

In this bent module 70, the specimen rack carried by the specimen rack conveying part 20a is slid onto the analyzing part [4] 3, and when the specimen rack reaches a corner of the bent module 70 on the analyzing part [4] 3, the specimen rack is slid onto the rotor 60a in the bent module 70a although such an arrangement is not shown.

Please rewrite the paragraph starting at page 27, line 13 as follows:

In a general hospital building in which posts 62 having a size of 600 to 1,000 mm are arranged in each span (6000 mm), the configuration shown in Fig. 9[c]d can be arranged with no interference with the posts 62. Thus, it is possible to effectively use the installation space.

**IN THE CLAIMS:**

Please cancel claims 2, 4 and 8.

Please rewrite claims 1, 5-7, and 9-14 as follows:

1. (Amended) A biochemical analyzer for automatically analyzing a specimen, comprising a specimen introducing part for introducing a specimen rack, a specimen rack conveying part for conveying said specimen rack received from the specimen introducing part, to [an] at least two analyzing [part] parts having different functions and applied with function identification parts for allowing an operator to confirm one of the analyzing parts to be intended to be used, said analyzing [part] parts pipetting [a specimen] specimens on the [examination] specimen rack and allowing the [specimen] specimens to react with [a reagent] reagents so as to analyze the [specimen] specimens, and a specimen storage part for storing the specimen rack for which the pipetting is completed, the specimen introducing part, the rack conveying part, the analyzing [part] parts and the specimen storage parts being independent from each other and being arranged on a floor so that each of them is solely removable, and the specimen introducing part, the analyzing [part] parts and the [analyzing] specimen storage part being arranged and coupled along the longitudinal direction of the specimen conveying part having heights measured from the floor, which are substantially equal to one another, and depths which are substantially equal to one another.

5. (Amended) A biochemical analyzer as set forth in claim [4] 1, wherein the specimen introducing part, the rack conveying part, the analyzing part and the specimen storage parts have heights which are set in a range of 850 to 950 mm measured from the floor surface on which the analyzer is installed, and depths which are set in a range of 750 to 800 mm.

6. (Amended) A biochemical analyzer for automatically analyzing a specimen, comprising a specimen introducing part for introducing a specimen rack, a specimen rack conveying part for conveying said specimen rack received from the specimen introducing part, to [an] at least two analyzing [part] parts having different functions and applied with a function identification parts for allowing an operator to confirm one of the analyzing parts to be intended to be used, said analyzing [part] parts pipetting a specimen on the [examination] specimen rack and allowing the specimen to react with a reagent so as to analyze the specimen, a specimen storage part for storing the specimen rack for which the pipetting is completed, the specimen introducing part, the rack conveying part, the analyzing [part] parts and the specimen storage parts being independent from each other, and the specimen introducing part, the analyzing [part] parts and the specimen storage part having widthwise dimensions which are multiples of the longitudinal length of the specimen rack, including 1.

7. (Amended) A biochemical analyzer as set forth in claim 6, wherein slits

[having a length equal to the longitudinal length of the specimen rack] are formed in the front surface sides of the specimen introducing part, the analyzing part and the specimen storage parts, at intervals equal to the longitudinal length of the specimen rack.

9. (Amended) A biochemical analyzer as set forth in claim [8] 1, wherein the analyzing parts respectively have front surfaces, and the identification [part is] parts are projected from the [housing] front surface of the analyzing parts.

10. (Amended) A biological analyzer as set forth in claim [8] 1, wherein the identification [part is] parts are concave.

11. (Amended) A biochemical analyzer as set forth in claim [8] 1, wherein the identification [part has a color which is different from that of the other part of the front surface of the housing] parts have colors different from each other.

12. (Amended) A biochemical analyzer [for] comprising an introducing part for introducing a specimen, [and] a storage part for storing the specimen and [an] at least two analyzing [part] parts having different functions and applied with function identification parts for allowing an operator to confirm one of the analyzing parts to be intended to be used, for allowing the specimen to react with a reagent so as to analyze the specimen, wherein stages are provided on the top surface sides of [the specimen introduction part, the specimen storage part and] at least the analyzing [part] parts, at positions where the [user] operator carries out confirmation, adjustment and replacement during analysis and at a height of 750 to 850 mm measured from a floor on which the biochemical analyzer is set.

13. (Amended) A biochemical analyzer as set forth in claim 12, wherein the stages are projected from the top surface [side of the housing] sides.

14. (Amended) A biochemical analyzer as set forth in claim 12, wherein the analyzing parts have front surfaces, and the stages [has a color] have colors which [is] are different from [the other part of the front surface of the housing] that of the front surfaces of the analyzing parts.

Please add the following new claims:

15. A biochemical analyzer as set forth in claim 1, wherein said specimen rack conveying means comprises two conveying paths accommodated in a housing, for conveying the specimen racks in different directions.

16. A biochemical analyzer as set forth in claim 1, wherein each of the analyzing parts includes a take-in buffer and a specimen rack discharge part through which the specimen racks are introduced thereinto from the conveying means and are discharged therefrom onto the conveying means.

17. A biochemical analyzer as set forth in claim 12, wherein said introducing part and the storage part have covers laid at the same height as that of the stages provided to the analyzing parts, measured from the floor.